

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PRIME CAPITAL VENTURES, LLC,

Plaintiff,

-against-

REIGN FINANCIAL INTERNATIONAL, INC.,
GIORGIO JOHNSON, GARY MILLS AND
MARTIN KARO,

Defendants.

NOTICE OF CROSS-MOTION

Civil Case No.:1:23-cv-00207
(FJS/DJS)

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law; and upon the accompanying Affidavit of Daniel S. L. Rubin, Esq., sworn to on the 21st day of July, 2023, with Exhibit A (proposed Second Amended Complaint) attached thereto; and upon all of the pleadings and prior proceedings had herein, Plaintiff Prime Capital Ventures, LLC, will cross-move this Court, before the Frederick J. Scullin, Jr. at the United States District Court, 100 S. Clinton St., Syracuse, New York at a date and time acceptable to the Court for an Order: (i) pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, granting Plaintiff leave to amend its complaint; and (ii) awarding such other and further relief as the Court deems just and proper. Pursuant to Northern District of New York Local Rule 15.1(a), a proposed Second Amended Complaint is filed herewith as Exhibit A to the Affidavit of Daniel S. L. Rubin, Esq., with the proposed changes to the pleading marked with redlines/strikeouts.

PLEASE TAKE FURTHER NOTICE that, pursuant to the stipulated briefing schedule filed as Docket No. 29 and approved by the Court (Docket No. 30), opposition papers to this cross-motion, if any, are required to be served no later than September 5, 2023.

PLEASE TAKE FURTHER NOTICE that, pursuant to the stipulated briefing schedule filed as Docket No. 29 and approved by the Court (Docket No. 30), reply papers may be filed in

support of this cross-motion, and such papers, if any, are required to be served no later than September 25, 2023.

REQUEST FOR ORAL ARGUMENT

Plaintiff joins in Defendants' request for oral argument of Defendants' pending motion to compel arbitration or to dismiss. Plaintiff further requests oral argument on the instant cross-motion because the proposed amendments to Plaintiff's pleading relate, in part, to Defendants' pending motion to dismiss.

Dated: July 21, 2023
Albany, New York

GIRVIN & FERLAZZO, P.C.

By: _____


Daniel S. L. Rubin, Esq.
Bar Roll No.: 518414
Patrick J. Fitzgerald, Esq.
Bar Roll No.: 511103
Bonnie R. Watson, Esq.
Bar Roll No.: 701354
Attorneys for Plaintiff
20 Corporate Woods Boulevard
Albany, New York 12211
Tel: 518-462-0300
Fax: 518-462-5037
dsr@girvinlaw.com
pjf@girvinlaw.com
brw@girvinlaw.com

TO: Adam R. Shaw, Esq.
BOIES SCHILLER FLEXNER LLP
Attorneys for Defendants
30 South Pearl Street, 11th Floor
Albany, New York 12207
Tel: (518) 434-0600
Fax: (518) 434-0665
ashaw@bsflp.com

Blake Goebel, Esq.
Cameron C. Miller, Esq.
BOIES SCHILLER FLEXNER LLP
Attorneys for Defendants
1401 New York Ave. NW
Washington, DC 20005
Tel: (202) 237-2727
Fax: (202) 237-6131
bgoebel@bsflp.com
cmiller@bsflp.com